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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 MCT-01 SS-15 SP-02 INR-07 SY-05
NSC-05 CIAE-00 L-03 /051 W
----------110221Z 122998 /14-S
R 101510Z MAY 77
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 5821
INFO AMEMBASSY ANKARA
AMEMBASSY ATHENS
AMEMBASSY LONDON

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E.O. 11652: N/A
TAGS: PFOR, CY, US, SY
SUBJECT: DAVIES' TRIAL OPENS

REF: NICOSIA 1210 (DTG 041725Z MAY 77) NOTAL

1. SUMMARY: DAVIES TRIAL OPENED IN NICOSIA MAY 9 WITH ACCUSED PLEADING INNOCENT TO ALL CHARGES. PROSECUTION REVIEWED 1974 EVENTS, MAINTAINED FINDING OF GUILTY OF MANSLAUGHTER DOES NOT REQUIRE EVIDENCE ACTUAL SHOTS CAME FROM ACCUSEDS' WEAPONS. COURT VISITED SCENE OF CRIME. GREEK CYPRIOT PRESS REPORTING OPENING PROMINENTLY BUT OFFERED NO EDITORIAL IN KEEPING WITH PROHIBITION AGAINST COMMENT ON TRAIL IN PROGRESS. END SUMMARY

2. THE TRIAL OF THE ACCUSED IN THE DAVIES CASE BEGAN IN THE NICOSIA ASSIZES COURT MAY 9. THE CLERK OF COURT READ THE CHARGE OF HOMICIDE AGAINST KTIMATIAS, LEFTIS AND SAVVA AND CHARGES OF PARTICIPATING IN A RIOT AND UNLAWFULLY CARRYING EXPLOSIVES AGAINST CHARALAMBOUS AND LEONIDA. THE FIVE ACCUSED PLEADED INNOCENT TO ALL CHARGES.

3. PROSECUITNG ATTORNEY ALECOS EVANGELOU THEN MADE
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OPENING SPEECH OUTLING THE EVENTS OF AUGUST 19, 1974. HE STRESSED THAT KTIMATIAS, LEFTIS AND SAVVA WERE SEEN AT THE SCENE OF THE CRIME HOLDING AUTOMATIC WEAPONS; KTIMATIAS WAS SEEN IN FIRING POSITION FIRING AGAINST THE EMBASSY; LEFTIS AND SAVVA WERE SEEN ENTERING THE BUILDING FROM WHICH THE FATAL SHOTS WERE FIRED. EVANGELOU CONCEDED THERE IS NO EVIDENCE AS TO THE IDENTITY OF THE PERSON

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FIRING THE FATAL SHOTS NOR EVIDENCE THAT THE FATAL SHOTS WERE FIRED FROM THE GUNS CARRIED BY THE THREE ACCUSED. HE MAINTAINED, HOWEVER, THAT "THE FATAL SHOOTING MUST, IN THE CIRCUMSTANCES, HAVE BEEN AN EVENTUALITY OF THE CONCERTED VIOLENT ATTACK AGAINST THE EMBASSY, TACITLY ACCEPTED DURING THE RIOT BY THE THREE ACCUSED WHO PARTICIPATED WITH GUNS IN THE VIOLENT ATTACK." FURTHER,, "IT IS NOT ESSENTIAL THAT THERE SHOULD HAVE BEEN AGREEMENT IN EXPRESS TERMS BETWEEN THE PARTIES PARTICIPATING IN THE COMMON ENTERPRISE, BUT EACH ONE WILL BE RESPONSIBLE FOR ANYTHING DONE IN THE JOINT ENTERPRISE WHICH THE EVIDENCE SHOWS WAS WITHIN HIS CONTEMPLATION." EMBASSY IS POUCHING COMPLETE TEXT OF EVANGELOUS'S SPEECH TO EUR/SE.

4. POLICE OFFICER THEN SUBMITTED DRAWING OF EMBASSY AND SURVEY MAP AND WAS QUESTIONED BY PROSECUTION AND DEFENSE ATTORNEY AS TO VARIOUS DISTANCES, SIZES OF DOORS, HOW EVIDENCE HAD BEEN TAKEN. DEFENSE ASKED COURT FOR PERMISSION TO VISIT SCENE OF CRIME. COURT AGREED AND IN AFTERNOON JUDGES, LAWYERS, ACCUSED AND JOURNALISTS VISITED BUILDING FROM WHICH SHOTS WERE ALLEGEDLY FIRED,, AMBASSADOR'S OFFICE WHERE SHOTS ENTERED EMBASSY AND CORRIDOR WHERE AMBASSADOR DAVIES AND ANTOINETTE VARNAVA WERE STRUCK BY GUNFIRE.

5. GREEK CYPRIOT PRESS MAY 10 TREATED OPENING OF TRIAL AS ONE OF TWO PROMINENT NEWS STORIES. PHOTOGRAPHS OF ACCUSED ENTERING COURTROOM AND COURT VISITING EMBASSY AREA ACCOMPANIED MOST STORIES. NEWS TREATMENT WAS DETAILED AND ACCURATE WITHOUT COMMENTARY OR EDITORIALS. COMMENT: ANY LIMITED OFFICIAL USE

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NEWSPAPER COMMENTING ON TRIAL IN PROGRESS MAY BE CITED FOR CONTEMPT OF COURT; THE OTHERWISE UNRESTRAINED GREEK CYPRIOT PRESS TRADITIONALLY HONORS THIS PROHIBITION. END COMMENT. TURKISH CYPRIOT PRESS TREATED TRIAL OPENING AS MINOR NEWS STORY.
CRAWFORD

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Executive Order: N/A
Errors: N/A
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Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
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SAS ID: 2582996
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Subject: DAVIES\' TRIAL OPENS
TAGS: PFOR, CY, US, SY, (DAVIES, RODGER P)
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